

# Civil Money Penalty (CMP) Reinvestment State Plan Submission Template

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## Introduction

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This plan describes how Maine will use Civil Money Penalty (CMP) funds for the 2022 calendar year. Questions about this plan shall be directed to the point(s) of contact listed below in section 2.

### 1. Timeline

Plan Start Date: 1/1/2022

Plan End Date: 12/31/2022

Plan Year (relevant calendar year): 2022

Date of Submission to CMS: 10/26/21

### 2. State Points of Contact

<i>Primary Point of Contact</i>	<i>Secondary Point of Contact</i>
Name: William Montejo	Name: Larry Carbonneau
Title: Director	Title: Program Manager
Office: Division of Licensing and Certification	Office: Division of Licensing and Certification
Office Address: 11 State House Station 41 Anthony Avenue Augusta, ME 04333	Office Address: 11 State House Station 41 Anthony Avenue Augusta, ME 04333
Phone Number: 207-287-4462	Phone Number: 207-287-9216
Email Address: william.montejo@maine.gov	Email Address: Larry.carbonneau@maine.gov

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## Plan for the Use of CMP Funds

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### 3. Current CMP Balance

The state's projected CMP balance as of January 1 for the calendar year covered by this plan is \$ 692,968.

### 4. CMPs Returned to the State

The Current CMP Balance (section 3) includes CMP funds returned to the state in the previous year for the Medicaid portion of the CMP.

The amount (actual or projected) of CMPs returned to the state for the calendar year prior to the current plan year is \$ 234,709.

### 5. Emergency Reserve Fund

For the plan year, states should reserve a portion of the Current CMP Balance (section 3) for emergency situations, such as natural disasters and/or the relocation of residents pursuant to an involuntary termination from Medicare and Medicaid.

The amount allocated for the Emergency Reserve Fund for the calendar year covered by this plan is \$ 441,422.

In the case of emergencies, involuntary closures, or down-sizing of a federally-certified nursing home, the emergency reserve fund will be used to support and protect residents of the facility, and to pay time-limited expenses to relocate residents to home and community-based settings, or to another facility. Maine has 93 nursing homes and 6,526 beds. Five of those nursing homes are scheduled to close by December 31, 2021. Approximately 160 beds. We anxiously hope no facilities are involuntarily closed. Maine has not had to provide CMP funds for any closures or de-certifications in the last five years, but did provide CMP money for COVID-19 related supplies of ipads and plexiglass/other barrier materials in 2020. A reserve has been calculated at 60% of our unallocated funds, or \$1,000,000, whichever is less.

### 6. Annual Administrative Use

For the plan year, states can choose to allocate a portion of the Current CMP Balance (section 3) for Administrative Use.

The amount estimated for Administrative Use for the calendar year covered by this plan is \$ 36,785.

**Note:** Avoid potentially prohibited or problematic costs (e.g., administrative expenses beyond those necessary to administer, monitor, evaluate, or report on the effectiveness of projects utilizing CMP funds).

The state will allocate 0.34 FTE for each CMS-approved CMP project. (Salary for 1.0 FTE based on \$83,333/year and benefits of 28.6%). This reflects the salary for a manager within the Division of Licensing and Certification. The Manager will be responsible for developing the project contract, including identification of deliverables and performance metrics. The Manager will be the liaison with the project contractor and will ensure that deliverables are met prior to approving invoices. Any deviation from the contract, in terms of deliverables or performance metrics, will be addressed by the Manager and/or the Division Director. The Manager will review all reports, including the final report, to determine if the project met all of its requirements. This is an increase that only will be used if we receive an influx of applications. We have had a significant number of requests for information but have not received any applications for 2022.

## 7. Obligated Funds

For the plan year, states may have projects they are obligated to fund (continuing and/or new projects).

The total amount of Obligated Funds for projects planned for the calendar year covered by this plan is \$ 0.

Include a list of continuing projects and/or new projects planned **during the calendar year covered by the plan**. List each project title, amount obligated for approved projects, start and end dates of the project, and recipient of funds. If more space is needed, an extended sheet is provided in section 14. Please make sure the total amount of Obligated Funds in the extended sheet is reflected in the total above.

<i>Project Title</i>	<i>Amount Obligated for the Plan Year</i>	<i>Start and End Dates</i>	<i>Recipient of Funds</i>

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## 8. Available Funds

For the plan year, states may have additional CMP funds available after accounting for funds going towards the Emergency Reserve Fund (section 5), Annual Administrative Use (section 6), and Obligated Funds (section 7). To calculate, please take the total amount provided in section 3 and subtract the total amounts in sections 5, 6, and 7.

The net amount of the state's Current CMP Balance available for CMP projects (for the calendar year covered by this plan) is \$214,961. .

See the **CMP Reinvestment State Plan Resource Guide** for further guidance.

## 9. Plan Summary Chart

*Complete rows 1 through 4, and row 5 will auto-calculate.*

1.	Current CMP Balance (from section 3)	\$ 692,968
2.	Emergency Reserve Fund (from section 5)	\$ 441,422
3.	Annual Administrative Use (from section 6)	\$ 36,785
4.	Obligated Funds (from section 7)	\$ 0
5.	Available Funds (automatically calculated)	\$ 214,761.

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## Plan for Public Posting, Solicitation and Review Methods, Monitoring and Tracking Methods

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### 10. Public Posting of Funded CMP Projects

On an annual basis, states must post the following information to a publicly available location about each funded CMP Project:

1. Project title;
2. Duration of the project;
3. Dollar amount awarded for each approved project;
4. Project summary (i.e., purpose/goals and objectives);
5. Awardee name;
6. Results of projects (i.e. the outcome of completed projects); and
7. Other key information, such as whether improvements have been institutionalized as a result of the project.

CMS will obtain this information from states historically through the CMP Project Tracking Sheets and will post it to the CMS CMP Reinvestment website.

Describe below the publicly available location (e.g., state website, CMS CMP Reinvestment website, state newsletter) where information about CMP projects can be found. Please provide the full state/public website address if applicable.

[Nursing Facilities | Department of Health and Human Services \(maine.gov\)](#) – click to follow link.

<https://www.maine.gov/dhhs/dlc/licensing-certification/medical-facilities/nursing-facilities>

Will be updated with more information before end of calendar year 2021.

Solicitations are handled through contacting Please contact [Larry.Carbonneau@maine.gov](mailto:Larry.Carbonneau@maine.gov).

## 11. Solicitation Methods

Describe where (e.g., websites, notices to the Ombudsman's office, presentations to the nursing home provider community) and how often (e.g., monthly, quarterly, annually) the state will solicit CMP projects that benefit nursing home residents and that protect or improve their quality of care or quality of life.

Include relevant details to describe the solicitation methods: who is responsible, when, where, and target audience. If applicable, provide information on the types of projects intended to be solicited (e.g., dementia care, music and memory) and any standard language or requirements that will be included in each solicitation notice.

The state has provided guidance to the most frequently active requesters for funds, including the Long Term Care Ombudsman and the Maine Health Care Association, as these organizations are aware of issues affecting nursing home residents. The state has regular communications with both of these organizations including email notification of any changes. Also, quarterly meetings are held to meet in person. These organization have been informed that proposals for use of CMP funds should be received by October 1st, in order to be included in the State's CMP Plan for the upcoming year. Two projects have been received for CY 2020, one related to bereavement education for nursing home residents, their families and staff and the second is training and distribution of a toolkit to assist nursing homes in dementia care and decreasing use of anti-psychotic medications.

Solicitations are handled through -

Please contact [Larry.Carbonneau@maine.gov](mailto:Larry.Carbonneau@maine.gov).

## 12. Review Methods

Describe methods and criteria the state will use to objectively and consistently review and evaluate incoming applications to determine if the proposal meets the criteria for acceptable uses of CMP funds.

Include relevant details that describe the application review methods, such as personnel reviewing applications, criteria to be used to evaluate applications, expected review timeframe, and process for submitting applications to CMS.

Proposals are reviewed by the Director and his/her designees, which may include, nursing home surveyors, managers/supervisors and financial support staff. Consideration is given to the number of nursing homes to be included, the impact on nursing home residents, the project cost/benefit analysis, and any past history of the requester in meeting prior project deliverables in a timely manner. The time frame for the review is 30 days. If a proposal is approved by the state, it is forwarded to the CMS Regional Office for review. The Director or his/her designee will notify the submitting organization of any additional information requested by CMS, and, ultimately, whether or not the project has received CMS approval.

We use an excel spreadsheet and normal contracting software to keep track of projects.



### 13. Monitoring and Tracking Methods

Describe how the state will monitor and track projects that use CMP funds, as well as funds used for Administrative Use (section 6). Provide information about how the state will verify that the monies paid out for the CMP project were spent on the items identified by the CMP fund recipient (e.g., site visit, invoices, time cards, receipts for supplies and travel).

Describe how the state will track project results (e.g., periodic or standard reporting deadlines, deliverables, final report, tracking of metrics).

A contract is developed for each approved CMP funded project, in compliance with state requirements. Each contract must have a detailed budget, deliverables with established time frames, performance metrics and a schedule of payments. Invoices are approved by the Director or his/her designee who must ensure that any deliverables required for the time frame covered by the invoice have been received and are acceptable. Depending upon the project, reporting may be done on a monthly or quarterly basis. A final report is required prior to the final payment under the contract.

Expenditures for worked time come from the departments cost accounting and cost allocation system based on Time worked by the individual and placed into the time system and authorized by his/her superior. Other expenses would occur through accounts payable. All of these items will be tracked and reconciled as part of the reconciliation of the cost accounting system as well as a program function in much the same way the projects are reconciled.

We use an excel spreadsheet and normal contracting software to keep track of projects.

#### 14. Extended Sheet for Obligated Funds

If applicable, use this space for additional project information from section 7. Please make sure the total amount of Obligated Funds in section 7 reflects the projects included in this extended sheet.

<i>Project Title</i>	<i>Amount Obligated for the Plan Year</i>	<i>Start and End Dates</i>	<i>Recipient of Funds</i>

#### 15. CMP Project Tracking Sheet

By February 1<sup>st</sup> of each year, states must complete and submit the CMP Project Tracking Sheet to the Centers for Medicare & Medicaid Services (CMS) Regional Office (RO) and the CMPRP mailbox at [CMP-info@cms.hhs.gov](mailto:CMP-info@cms.hhs.gov). The CMP Project Tracking Sheet should contain information on projects that took place during the previous year. For example, the CMP Project Tracking Sheet for the projects funded in 2019 is due to the CMS RO and the CMPRP mailbox on February 1, 2020. **See the CMP Reinvestment State Plan Resource Guide for further guidance.**